

EXHIBIT 5

**U.S. District Court
Southern District of Florida (West Palm Beach)
CIVIL DOCKET FOR CASE #: 9:07-mc-81085-KLR**

Hale v. Optionsxpress, INC.
Assigned to: Senior Judge Kenneth L. Ryskamp
Cause: 09:0009 Motion to confirm arbitration award

Date Filed: 11/16/2007
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

Plaintiff**Linda Hale**

represented by **Neil Barry Solomon**
Neil B. Solomon, P.A.
4174 St. Lukes Lane
Jupiter, FL 33458
561-762-4991
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Optionsxpress, INC.**

represented by **Stephen Bernard Gillman**
Shutts & Bowen
201 S Biscayne Boulevard
Suite 1500 Miami Center
Miami, FL 33131
305-347-7311
Fax: 381-9982
Email: sgillman@shutts.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/16/2007	<u>1</u>	Application to Confirm Arbitration Award Filing fee \$39 Receipt#: 723408, filed by Linda Hale.(vt) (Entered: 11/16/2007)
12/21/2007	<u>2</u>	ORDER TO SHOW CAUSE. Show Cause Response due by 1/8/2008.Signed by Judge Kenneth L. Ryskamp on 12/21/07.(sh) (Entered: 12/21/2007)
12/26/2007	<u>3</u>	RESPONSE to <u>2</u> Order to Show Cause filed by Linda Hale. (rb) (Entered: 12/27/2007)
12/26/2007	<u>4</u>	RESPONSE TO ORDER TO SHOW CAUSE by Linda Hale. (tb) (Entered: 12/28/2007)
12/26/2007	<u>5</u>	NOTICE OF CONVENTIONAL FILING of <u>4</u> Response to Order to Show Cause by Linda Hale (tb) (Entered: 12/28/2007)
01/03/2008	<u>6</u>	*Endorsed Order Staying the response deadline to Plaintiff's Application to Confirm

		Arbitration Award <u>1</u> until Defendant is served. Plaintiff is Ordered to notify this Court once service has been made. At that point, the stay will be lifted and Defendant will have ten days to file a response. Signed by Judge Kenneth L. Ryskamp on January 3, 2008.(lc1) (Entered: 01/03/2008)
01/08/2008	<u>7</u>	*Endorsed Order lifting stay on the response deadline to Plaintiff's Application to Confirm Arbitration Award. This Court received notice from the Marshall's office that Defendant was served with the application yesterday. Defendant's response is due January 22, 2008. Signed by Judge Kenneth L. Ryskamp on January 8, 2008.(lc1) (Entered: 01/08/2008)
01/14/2008	<u>8</u>	MOTION Enforce Court's Order for Respondent to Respond to Petitioner's Motion to Confirm Arbitration Award By January 22, 2008 by Linda Hale. (Attachments: # <u>1</u> Exhibit September 12, 2007 Letter from Respondent to FINRA Dispute Resolution# <u>2</u> Exhibit September 13, 2007 email from Petitioner to Respondent# <u>3</u> Exhibit September 18, 2007 email from Petitioner to Respondent)(Solomon, Neil) (Entered: 01/14/2008)
01/22/2008	<u>9</u>	Defendant's MOTION to Stay <i>or Dismiss Action</i> by Optionsxpress, INC.. Responses due by 2/5/2008 (Attachments: # <u>1</u> Exhibit Customer Agreement)(Gillman, Stephen) (Entered: 01/22/2008)
01/23/2008	<u>10</u>	NOTICE of Instruction to Filer: re <u>9</u> Defendant's MOTION to Stay <i>or Dismiss Action</i> filed by Optionsxpress, INC., Error: Motion with Multiple Reliefs Filed as One Relief; Instruction to Filer=In the future please select all applicable Reliefs; (ls) (Entered: 01/23/2008)
01/24/2008	<u>11</u>	APPLICATION/CONFIRMATION of Arbitration Award Returned Executed on 1/7/08 by Linda Hale. (lk) (Entered: 01/24/2008)
01/28/2008	<u>12</u>	RESPONSE in Opposition re <u>9</u> Defendant's MOTION to Stay <i>or Dismiss Action</i> filed by Linda Hale. (Attachments: # <u>1</u> Exhibit 9/25/07 Letter # <u>2</u> Exhibit 1/28/08 Email # <u>3</u> Exhibit 1/14/08 Letter # <u>4</u> Exhibit Garver v. Ferguson# <u>5</u> Exhibit 9/12/07 Letter # <u>6</u> Exhibit 9/13/07 Email # <u>7</u> Exhibit Rueter v. Merrill Lynch)(Solomon, Neil) Modified on 1/30/2008 (ls). (Entered: 01/28/2008)
01/29/2008	<u>13</u>	ORDER denying <u>8</u> Motion To Enforce Deadline. Signed by Judge Kenneth L. Ryskamp on 1/28/08. (sh) (Entered: 01/29/2008)
02/04/2008	<u>14</u>	REPLY to Response to Motion re <u>9</u> Defendant's MOTION to Stay <i>or Dismiss Action</i> filed by Optionsxpress, INC.. (Attachments: # <u>1</u> Exhibit (A) Declaration of Robert B. Christie)(Gillman, Stephen) (Entered: 02/04/2008)

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